**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

THE BLACK & DECKER CORPORATION, BLACK & DECKER, INC., and BLACK & DECKER (U.S.), INC.,	)	
Plaintiffs,	)	Case No. 11-cv-5426
v.	)	Judge Robert M. Dow, Jr.
POSITEC USA, INC., and R.W. DIRECT, INC.,	)	
Defendants.	)	

AGREED ORDER

Pursuant to discussions between the parties and with the Court since the jury verdict, the parties have agreed to the following:

1. With the Court's concurrence, the parties will conduct post-trial mediation with retired Magistrate Judge Morton Denlow and are currently in the process of scheduling that mediation;

2. In view of the time that it will take to schedule, prepare for, and conduct the mediation, the parties agree to the withdrawal of all pending motions [208, 219, 220, 224, 225, 226, 227, 228, 229, 230] without prejudice and with leave to reinstate *nunc pro tunc* to their original filing date if the case is not resolved through the mediation.

3. In view of the lapse of time since the filing of the original briefs on the motions that will be withdrawn, the Court will set a schedule for supplemental filings to reflect any pertinent developments in the law in the interim if the case is not resolved through the mediation.

4. No judgment has been entered to date as the Court still must exercise its statutory authority over certain remaining aspects of the case as set out in its November 23, 2015 order [247].

5. The parties will advise the Court of the mediation date(s) when they are scheduled and update the Court on the progress of the mediation as it proceeds. If the mediation is unsuccessful, the parties shall notify the Court and the Court intends to rule on the merits of the presently withdrawn motions as necessary to resolve the post-trial issues.

Respectfully submitted,

/s/ Raymond P. Niro, Jr.

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